

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2000-643

March 15, 2001

S.D. WARREB COMPANY  
Petition to Establish Power Purchase Process  
Pursuant to Public Law 1999, Chapter 730

ORDER APPROVING  
SELECTION OF POWER  
SUPPLY BID

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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## **I. SUMMARY**

Through this Order, we approve S.D. Warren's selection of a power supply for its Somerset Mill for the period March 23, 2001 through February 28, 2002.

## **II. BACKGROUND**

The Restructuring Act, as recently amended, provides for the establishment of the rate to be paid to S.D. Warren under its Power Purchase Agreement (PPA) with Central Maine Power Company. P.L. 1999, ch.730. The legislation states that the Commission shall establish the PPA rate based in part on S.D. Warren's cost of generation service and requires the Commission to approve the process by which S.D. Warren obtains generation service.

On July 28, 2000, S.D. Warren filed a petition for Commission approval of the process by which it would obtain power supply for the Somerset Mill. Subsequently, S.D. Warren filed a proposed process to obtain power supply and a draft request for proposals for the provision of electric supply (RFP). On September 5, 2000, the Commission issued an Order finding that the proposed bid process and draft RFP are reasonably designed to obtain the lowest cost power supply for the Somerset Mill. The Commission stated that it would review the actual evaluation and selection process to determine whether the objective of obtaining the lowest cost supply consistent with historic service had been satisfied.

On March 15, 2001, S.D. Warren filed the results of its evaluation and selection process.

## **III. DECISION**

We have reviewed S.D. Warren's evaluation of the bids and find that it has selected the lowest cost bidder. Accordingly, we approve S.D. Warren's selection as satisfying the objective of obtaining the lowest cost supply consistent with historic service.

Dated at Augusta, Maine, this 15th day of March, 2001.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Nugent  
   Diamond

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73, et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.